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Seventeenth report of the Secretary-General pursuant to paragraph 4 of Security Council resolution 2107 (2013)

I. Introduction

1. The present report, submitted pursuant to paragraph 4 of Security Council resolution 2107 (2103), covers developments pertaining to the issues of missing Kuwaiti and third-country nationals and missing Kuwaiti property, including the national archives, since the issuance of my previous report, dated 19 October 2017 (S/2017/880).

2. Relations between Iraq and Kuwait continued to improve during the reporting period. The President of Iraq, Fuad Masum, made an official visit to Kuwait on 20 November 2017 in response to an official invitation from the Emir of the State of Kuwait, Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah. This was the first visit to Kuwait by an Iraqi President in nine years. Discussions were focused on boosting bilateral relations in all fields and on the preparations for the international conference on the reconstruction of Iraq that Kuwait will host from 12 to 14 February 2018. Both sides agreed to pursue increased investment and economic opportunities, thereby further strengthening their ties. The decision, reached on 21 November by the Governing Council of the United Nations Compensation Commission, concerning the resumption of deposits to the United Nations Compensation Fund and payments by the Government of Iraq towards the outstanding compensation awards also represents a positive step towards closer ties between Iraq and Kuwait.

II. Recent activities with regard to the repatriation and return of all Kuwaiti and third-country nationals, or their remains

3. During the reporting period, the Ministry of Defence of Iraq continued to investigate a number of potential burial locations, including the Jahra', Sabahiah and naval base sites in Kuwait and the Radwaniyah, Suleimaniyah and Salman Pak sites in Iraq. As part of those efforts, the Ministry also followed up with witnesses, as well as with relevant government bodies, to verify all acquired information in an effort to identify exact burial locations. Furthermore, two new witnesses separately came forward with information on potential burial locations.

4. The Ministry of Defence of Iraq also continued to seek information from relevant government institutions in an effort to precisely determine the burial location at the Khamisiyah site. From 6 to 14 September and from 8 to 16 October 2017, the technical team of the Ministry undertook exploration and excavation work at the

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potential burial site in Khamisiyah, during which 183 and 210 trenches were dug, respectively. No human remains were found. The coordinates of areas covered by trenches were communicated to the members of the tripartite mechanism for their information.

5. From 15 to 18 September and from 18 to 21 October 2017, the technical team of the Ministry of Defence of Iraq also carried out exploration and excavation work at the potential burial location in Samawah District. A total of 183 trenches were dug, and six sites were identified. However, neither human remains nor grave-like features were found. The coordinates of areas covered by trenches were communicated to the members of the tripartite mechanism for their information.

6. From 23 to 28 September and from 22 to 28 October 2017, the technical team of the Ministry of Defence of Iraq carried out exploration and excavation work at the potential burial site in Karbala' Province, digging 125 and 160 trenches, respectively. The coordinates of the areas covered with 285 trenches were recorded and communicated to the members of the tripartite mechanism for their information. A total of 16 sites were identified during the work, but no human remains or grave-like features were found.

7. On 16 October 2017, the technical team of the Ministry of Defence of Iraq undertook exploration and excavation work at the potential burial site in Maysan Governorate, during which six trenches were dug. No human remains were located. The coordinates of areas covered by trenches were communicated to the members of the tripartite mechanism for their information.

8. On 24 October 2017, human remains were retrieved by the technical team of the Ministry of Defence of Iraq from a potential burial site in Basrah. The remains were handed over to the Medico-Legal Directorate. Corresponding forensic work of genetic profiling is ongoing.

9. Also during the reporting period, human remains were retrieved by the technical team of the Ministry of Defence of Iraq from a potential burial site in Najaf. The remains were handed over to the Medico-Legal Directorate. Corresponding forensic work of genetic profiling is ongoing.

10. On 30 October 2017, the Ministry of Defence of Iraq issued a broadcast on all available satellite TV channels, inviting those with information on missing Kuwaiti persons and missing Kuwaiti property to come forward.

11. On 12 November 2017 in Baghdad, my Deputy Special Representative for Iraq met with the Head of the International Committee of the Red Cross (ICRC) delegation in Iraq, Katharina Ritz, to discuss how the United Nations Assistance Mission for Iraq (UNAMI) could best contribute to the missing Kuwaiti and third-country nationals file.

12. In line with the recommendations made at the forty-fourth session of the Tripartite Commission, which are aimed at reaching out to other organizations and countries facing similar issues, on 13 November 2017 UNAMI, together with members of the tripartite mechanism, took part in a visit to Cyprus, organized by ICRC, to the Mia Milia excavation site, the premises of the Committee on Missing Persons in Cyprus and the Committee's anthropological laboratory. The Committee was established to recover, identify and return to their families the remains of Turkish and Greek Cypriots who went missing during the intercommunal fighting of 1963 to 1964 and the events of 1974. The Committee's team provided an extensive overview of this bicommunal project, including its archaeological phase, related to the exhumation of the remains of missing persons; its anthropological phase, related to the analysis of the recovered remains at the Committee laboratory; its genetic phase, related to the DNA identification process; and its phase involving the identification

and return of remains, which includes the reconciliation of the information obtained in all previous phases and the formal identification and return of the identified remains to their families. A productive exchange of information and experiences took place between members of the tripartite mechanism and the Committee. The Iraqi delegation expressed keen interest in applying to its own work a number of the procedures, techniques and technologies used by the Committee.

13. On 14 November 2017 in Cyprus, UNAMI attended, in its observer capacity, the 101st session of the Technical Subcommittee of the tripartite mechanism. The Iraqi delegation expressed its commitment to continue its efforts until the file was fully resolved, despite the lack of tangible results over the past 13 years. The Kuwaiti delegation thanked the Ministry of Defence of Iraq for its activities and persistent efforts. The Iraqi delegation requested support for its field work to acquire expertise, as well as for the training of the Ministry of Defence technical team. Delegations of the United Kingdom of Great Britain and Northern Ireland, the United States of America and ICRC were also requested to study the maps of Khamisiyah that had been obtained in an effort to identify burial locations in that area, with the Kuwaiti delegation emphasizing the importance of also acquiring aerial photographs. In addition, the Kuwaiti delegation proposed that ICRC regularly update the Khamisiyah, Karbala' and Samawah sites through Google Earth to showcase all field activities. The proposal is currently under consideration.

14. During the session, a draft report on the ICRC review project was shared with all delegations, providing a historical overview of the tripartite mechanism, technical assessment and background with respect to each of the potential burial sites, and a series of findings and recommendations addressing the way forward. The members of the mechanism were invited to study the report and to provide their comments by the next session of the Technical Subcommittee, scheduled to be held in January 2018. The Iraqi and Kuwaiti delegations expressed their appreciation to the ICRC team for its work on the review project.

15. On 15 November 2017 in Cyprus, my Deputy Special Representative met with the Head of the technical committee in charge of the file on missing Kuwaiti persons at the Ministry of Defence of Iraq, Brigadier General Hazem Qassem Majid, who informed her that a special committee would be convened to examine in detail the draft report on the ICRC review project and provide feedback. He also expressed the hope that the project would provide specific indications of which potential burial locations should be prioritized and which should be closed, in order to guide the work of the Iraqi technical teams. In addition, the head of the committee identified the needs of the various institutions of the Government of Iraq contributing to the file, including the need for modern technology, field equipment, forensic training and capacity-building, particularly in the areas of DNA and anthropology, as well as for an increase in the storage capacity of the Medico-Legal Directorate. My Deputy Special Representative underlined the continued support of UNAMI for the Government of Iraq and a commitment to look carefully at where the United Nations could add value, drawing on existing expertise and resources within the Mission and more widely across the United Nations community.

16. On 15 November 2017 in Cyprus, my Deputy Special Representative also met with the Chair of the Kuwaiti National Committee for Missing Persons and Prisoners of War Affairs, Ibrahim Al-Shaheen, and the other members of the Committee. Mr. Al-Shaheen requested the support of UNAMI in obtaining both aerial photographs and satellite imagery of the Khamisiyah site and in reviewing the viability of using modern technology, such as ground-penetrating radar and metal detectors, on potential burial sites in Iraq. My Deputy Special Representative reaffirmed the determination of UNAMI to support the tripartite mechanism, guided by the recommendations set out in the draft report on the ICRC review project.

17. A UNAMI delegation, headed by my Deputy Special Representative, attended, in an observer capacity, the forty-fifth session of the Tripartite Commission, held in Cyprus on 16 November 2017. A constructive atmosphere prevailed during the session, with all delegations reaffirming their commitment to the humanitarian objective and underlining the importance of the ICRC review project in supporting the work of the tripartite mechanism. The observer status of UNAMI was extended during the session. My Deputy Special Representative reaffirmed the dedication of UNAMI to supporting the tripartite mechanism and, in particular, to facilitating the efforts of the Government of Iraq on this important humanitarian endeavour.

18. On 23 November 2017 in Baghdad, my Deputy Special Representative followed up in a meeting with the Minister of Defence of Iraq, Irfan Al-Hayali. Mr. Al-Hayali expressed his commitment to achieving progress in the search for the missing Kuwaiti and third-country nationals, emphasizing that all the capabilities of the Ministry had been placed at the disposal of its technical committee in an effort to attain tangible results.

III. Recent activities with regard to the return of Kuwaiti property

19. During the reporting period, no progress was made with regard to the return of Kuwaiti property.

20. On 15 November 2017 in Cyprus, my Deputy Special Representative met with the Head of the Arab Department of the Ministry of Foreign Affairs of Iraq, Saad M. Redha, who reaffirmed the commitment of the Government of Iraq to resolving the file and underlined the readiness of the Ministry to hand over a number of Kuwaiti books located in university libraries across Iraq. My Deputy Special Representative expressed the readiness of UNAMI to facilitate and observe the official handover of the Kuwaiti books.

IV. Observations

21. I welcome the efforts of both Iraq and Kuwait in overcoming a history of conflict and tragedy, while working to forge close ties. They serve as a model of good-neighbourly relations in the region. I am confident that the strong support and solidarity demonstrated by Kuwait, and the commitment shown by Iraq to its international and humanitarian obligations, will provide the impetus required to reach the full normalization of relations. With this in mind, I call on the Government of Iraq to continue its efforts to attain tangible progress on the file of missing Kuwaiti and third-country nationals and missing Kuwaiti property, including the national archives.

22. I remain disappointed that, despite all efforts, the human cost of the first Gulf war still lingers, with families of the missing waiting for more than 26 years to discover the fate of their loved ones. Providing the answers to grieving families depends on steadfast commitment, action and the adoption of new and innovative ways to take the file forward. The Ministry of Defence of Iraq has undertaken exceptional proactive efforts in field missions and in the collection of information, for which it should be commended. While I urge the Ministry to continue in the same vein until it is able to obtain concrete results, I also encourage other Member States to look into ways to support these efforts, including through the procurement of field equipment, as well as the provision of forensic, DNA and anthropological training and capacity-building for the Iraqi technical teams. I also call on those Member States in possession of satellite imagery from 1990 and 1991 to provide analysis and

information to the Government of Iraq that could assist in the identification of burial locations.

23. I applaud the outstanding dedication, support and expertise of the members of the tripartite mechanism, under the able leadership of ICRC, who have guided efforts to locate and recover missing persons for more than two decades and have maintained positive momentum on this important work. I am particularly encouraged by the efforts of the United Kingdom and the United States in reviewing their military archives to obtain information that could assist in this quest, and remain hopeful that their search will yield results. I welcome the submission, during the most recent meeting of the Technical Subcommittee in Cyprus, of the draft report on the ICRC review project. I commend ICRC for undertaking a project of such magnitude and scale, which covered the compilation of extensive data. UNAMI will carefully study the document to determine how best to support the mechanism, drawing on its expertise and available resources. I am certain that, by working together and translating the recommendations of the project into a concrete plan of action, the tripartite mechanism will achieve concrete results, while providing valuable lessons for other contexts in which efforts to locate and identify missing persons are being planned.

24. I regret that no new developments took place with regard to the missing Kuwaiti property. I reiterate my calls for the Government of Iraq to put in place the logistical arrangements for the swift repatriation of the located Kuwaiti books. I also urge the Government of Iraq to explore new strategies to revive the search for the Kuwaiti national archives.

25. I reaffirm the unwavering commitment of my Special Representative and my Deputy Special Representative, as well as of the UNAMI staff, to continue to play an active role in this important humanitarian endeavour.